

1 Adam E. Polk (SBN 273000)  
2 Simon Grille (SBN 294914)  
3 Trevor T. Tan (SBN 280145)  
4 Reid Gaa (SBN 330141)  
5 **GIRARD SHARP LLP**  
6 601 California Street, Suite 1400  
7 San Francisco, CA 94108  
8 Telephone: (415) 981-4800  
9 Facsimile: (415) 981-4846  
10 apolk@girardsharp.com  
11 sgrille@girardsharp.com  
12 ttan@girardsharp.com  
13 rgaa@girardsharp.com

14 *Attorneys for Plaintiffs*

15 **UNITED STATES DISTRICT COURT**  
16 **NORTHERN DISTRICT OF CALIFORNIA**

17 BRAYDEN STARK, JUDD OOSTYEN, ISAAC  
18 BELENKIY, VALERIE BURTON, LAURA  
19 GOODFIELD and, DENOVIAS MACK,  
20 individually and on behalf of all others similarly  
21 situated,

22 Plaintiffs,

23 v.

24 PATREON, INC.,

25 Defendant.

26 Case No. 3:22-cv-03131-JCS

27 **DECLARATION OF SIMON S. GRILLE**  
28 **IN SUPPORT OF PLAINTIFFS'**  
**ADMINISTRATIVE MOTION TO**  
**CONSIDER WHETHER ANOTHER**  
**PARTY'S MATERIAL SHOULD BE**  
**SEALED**

---

29 DECLARATION OF SIMON S. GRILLE IN SUPPORT OF PLAINTIFFS' ADMINISTRATIVE MOTION  
30 TO CONSIDER WHETHER ANOTHER PARTY'S MATERIAL SHOULD BE SEALED  
31 CASE NO. 3:22-cv-03131-JCS

1 I, Simon S. Grille, hereby declare under penalty of perjury:

2       1. I am an attorney at the law firm of Girard Sharp LLP and represent Plaintiffs Brayden  
 3 Stark, Judd Oostyen, Isaac Belenkiy, Valerie Burton, Laura Goodfield, and Denovias Mack  
 4 (“Plaintiffs”) in this action. I have personal knowledge of the facts stated in this declaration and, if  
 5 called to do so, could and would testify competently thereto.

6       2. I submit this declaration in support of Plaintiffs’ Administrative Motion to Consider  
 7 Whether Another Party’s Material Should Be Sealed.

8       3. Paragraph 13.3 of the Stipulated Protective Order requires materials designated as  
 9 “Confidential” (“Protected Material”) to be filed under seal. Protected Material includes information  
 10 (regardless of how it is generated, stored or maintained) or tangible things that qualify for protection  
 11 under Federal Rule of Civil Procedure 26(c). *See* Stipulated Protective Order, ¶¶ 2.3, 2.15, Dkt. No.  
 12 29.

13       4. The following portions of Plaintiffs’ Reply in Support of Motion to Supplement the  
 14 Summary Judgment Record contain, summarize or reflect the content of materials that Patreon has  
 15 designated as Protected Material pursuant to the Stipulated Protective Order, or which potentially  
 16 reflect confidential, proprietary, or private information:

Document	Description	Designating Party
Reply	Plaintiffs’ Reply in Support of Motion to Supplement the Summary Judgment Record:  Page 2, lines 27-28; Page 3, lines 6-7, 9, 11; Page 4, lines 2-4, 6, 15-16	Patreon, Inc.

22       5. Plaintiffs take no position at this time on whether any of these designated portions  
 23 satisfy the requirements for sealing, and specifically reserve the right to challenge any designation  
 24 under the Stipulated Protective Order as well as the propriety of sealing any of these materials under  
 25 Civil Local Rule 79-5 and applicable law.

1 I declare under penalty of perjury that the foregoing is true and correct. Executed March 6,  
2 2024, in San Francisco, CA.

3 /s/ *Simon S. Grille*  
4 Simon S. Grille

5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

## **CERTIFICATE OF SERVICE**

I hereby certify that on March 6, 2024, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will automatically send notification of the filing to all counsel of record. I also certify that I caused the under seal documents to be served on counsel *via electronic mail*.

By: /s/ Simon S. Grille

Simon S. Grille